

Remarks

This is in response to the Official Action of October 28, 2005. The points raised therein are addressed below in the order originally set forth.

Election/restriction.

Applicants respectfully disagree with the apparent allegation that the various species of the invention should not be examined together. However, to simplify the issues, claims to non-elected species of SEQ ID NOs 6, 8, 10 and 12 (Isoforms, 2, 3, 4 and 5), are cancelled herein, without prejudice to the filing of a divisional application thereon.

The claims having been directed to SEQ ID NO: 4 and the complement thereof, reconsideration of the restriction requirement as to **GROUPS V AND VI** is respectfully requested, particularly in light of the amendments made above. It is respectfully submitted that these groups relate to group I as methods of using a compound, and should be examined together with group I in accordance with MPEP §806.05(h).

Further, it is respectfully submitted that, given the direction of the claims to a particular isoform, no undue burden is placed upon the USPTO by searching the claims of group V and VI together, and the claims should be examined together as mandated by MPEP section 803.01 ("If the search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions").

Claim objections.

The non-elected inventions are cancelled from claim 1 herein to simplify the issues.

The word "and" has been inserted in claim 1 in the manner suggested by the examiner. Accordingly, it is submitted that the objections to the claims may now be withdrawn.

Claim Rejections—35 USC 112, first paragraph.

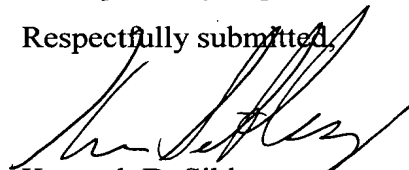
Claim 9 stands rejected as lacking enablement, it being stated that the specification, while being enabling for an isolated host cell in culture, does not provide enablement for host cells in the context of transgenic animals or gene therapy. To simplify the issues, claim 9 has been amended to direct it to isolated host cells in culture, and it is accordingly submitted that this rejection may be withdrawn.

Claim rejections—35 USC 112, second paragraph,

Claim 1, and those dependent thereon, stand rejected as indefinite in the recitation of nucleic acids that "encode" opposite strands. The phrase "the full length complement" is suggested in the action as appropriate, and this phrase has been incorporated by amendment above. Accordingly, it is respectfully submitted that this rejection should also be withdrawn.

It is respectfully submitted that this application is in condition for substantive examination and allowance, which action is respectfully requested.

Respectfully submitted,



Kenneth D. Sibley
Registration No. 31,665

Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, NC 27627
Telephone (919) 854-1400
Facsimile (919) 854-1401